

FILED 

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT
DISTRICT OF
DIVISION

Albuquerque, New Mexico

JAN 17 2023

MITCHELL R. ELFERS
CLERK

Jesus F. Fernandez

BO# 93908051

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

23cv45-KG-KK

vs.

Case No: 17-CR-3237
(To be supplied by the Clerk of this Court)

1) Greyhound Lines Inc
and Employee

2) Special Agent (DEA)
Jarrell Perry

3) Special Agent (DEA)
Kirk Lennon

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

 COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

 X **COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE**
28 SECTION 1331(a) U.S. Code (federal defendants)

 OTHER (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

I. Plaintiff(s):

- A. Name: JESUS FCO FERNANDEZ
- B. List all aliases: _____
- C. Prisoner identification number: Nº 93908051
- D. Place of present confinement: USP-ATL
- E. Address: PO Box 150-160 Atlanta GA 30315

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: COREY HOUNDS LINES INC, ALBUQUERQUE, NM
 Title: BUS TRAVELS
 Place of Employment: ALBUQUERQUE, NEW MEXICO
- B. Defendant: SPECIAL AGENT JARRELL PERRY
 Title: LAW ENFORCEMENT (DEA)
 Place of Employment: ALBUQUERQUE NEW MEXICO
- C. Defendant: SPECIAL AGENT KIRK LEHMAN
 Title: LAW ENFORCEMENT (DEA)
 Place of Employment: ALBUQUERQUE NEW MEXICO

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES (☒) NO () If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES () NO (☒)

C. If your answer is YES:

1. What steps did you take?

N/A
N/A
N/A

2. What was the result?

N/A
N/A
N/A

3. If the grievance was not resolved to your satisfaction, did you appeal?

What was the result (if there was no procedure for appeal, so state.)

N/A

D. If your answer is NO, explain why not:

THIS IS MY FIRST PROCEDURE ON THIS COMPLAINT?
THIS IS MY FIRST PROCEDURE ON THIS COMPLAINT REGARDING
LEGAL MATTER AND THIS INSTANT CASE BEING A CRIMINAL CASE I HAD
TO WAIT FOR THE DENIAL OF MY PENDING APPEALS.

E. Is the grievance procedure now completed? YES () NO ()

F. If there is no grievance procedure in the institution, did you complain to authorities? YES () NO ()

G. If your answer is YES:

1. What steps did you take?

2. What was the result?

H. If your answer is NO, explain why not:

*THIS Case N^o 17 CK 3237 be take to Jurytrial Court TWICE
AND appeal Court TWICE AND BE NOT TAKEN FROM SUPREME
Court of the appeal 1) Jurytrial on Hang Jurial 2) find
Jury guilty THEY DENIED My appeal without any explanation.*

IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court

- A. Name of case and docket number: (17 CR 3237) 1) Perjury 2)
CONSENT DECREE.
- B. Approximate date of filing lawsuit: Now if the Court accepted my ORDER
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: JESUS F.
FERNANDEZ
- D. List all defendants: 1) GREYHOUND LINES INC. 2) JARRELL
PERRY (DEA) AGENT 2) KIRK LEMMON (DEA) AGENT
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): US DISTRICT COURT of NEW MEXICO
333 LOHAS Blvd NORTH WEST, Suite 270 ALBUQUERQUE, NM
- F. Name of judge to whom case was assigned: _____
- G. Basic claim made: _____
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): _____

H. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

V. Statement of Claim:

State here as briefly as possible the facts of your case. Describe precisely how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Details: On Wednesday October 25-2017 S/A PERRY and S/A LEMMON were at The Greyhound Bus Station in Albuquerque New Mexico to check the eastbound Greyhound Bus that is scheduled to arrive at 9:55 AM and depart at 11:15 prior to the passenger reboarding the bus. S/A PERRY and S/A LEMMON boarded the bus. S/A PERRY looked at the luggage that was in the passenger area of the bus. S/A PERRY observed a black duffel bag lying near the rear of the bus that did not have a name tag attached. S/A PERRY picked up the bag and observed the bag was not full to capacity but that it was over the head due to the fact that it was not completely full to capacity. S/A PERRY returned the bag to the overhead luggage compartment in its original location. S/A PERRY observed a male later identified as Jesus Fco Fernandez board the bus and sit down in his respective right hand side on the window seat.

2-) The Greyhound is a for-profit corporation that provides intercity bus transportation services throughout North America with various locations within and throughout the state of New Mexico Hub and Bus Terminal in which Greyhound leases space located in Downtown Albuquerque N.M where Greyhound operates buses on a daily basis.

Greyhound allowing U.S. and Border Protection and (DEA) agent to conduct warrantless and suspicionless law enforcement sweeps on Greyhound buses and Greyhound nonpublic bus station property and making false and deceptive statements regarding and failing to adequately notify or prospective and actual passengers of Greyhound's role in facilitating DEA warrantless and suspicionless enforcement sweeps were and expected occurrence at Greyhound's Bus Terminal promising to provide "safe" "Reliable" and Dependable Bus service to customer and violating that promise by granting "DEA" agent permission to access non-public areas of its bus station and/or board its buses for the purpose of conducting warrantless and suspicionless enforcement customers before sale of a ticket or boarding of a bus.

VI. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

I am requesting the Honorable Court Assistance on proceeding
on filing a lawsuit for 1) BREYHOUND lines for "CONSENT
DECREE" 2) PERJURY Against S/A JARRELL PERRY and
S/A KIRK LEMMON WORK FROM THE DEA OFFICE AND
BREYHOUND and ask the Court to appointment of
COUNSEL to proceed on this matter

CERTIFICATION

~~By signing this Complaint, I certify that the facts stated in this~~
Complaint are true to the best of my knowledge, information
and belief. I understand that if this certification is not correct,
I may be subject to sanctions by the Court.

Signed this Jan day of 12, 20 23

Jesus Fco

(Signature of plaintiff or plaintiffs)

JESUS FCO FERNANDEZ

(Print name)

BOP # 93908051

(I.D. Number)

USA-AT2

PO BOX-150-160,

Atlanta, Georgia 30315.

(Address)

JESUS FCO FERNANDEZ
BOP # 93908051
USP-ATL
PO BOX-150-160
ATL-6A 30315



RECEIVED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JAN 17 2023

MITCHELL R. ELFERS
CLERK

Legal Mail

US District Court of New Mexico
PETE DOMEN PC, US COURT HOUSE
333 Lomas Blvd North West
SUITE # 270.
Albuquerque New Mexico 87102